

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JARRETT R. JENKINS,

Plaintiff,

Case No. 2:14-cv-05683-SJF-AKT

v.

CAPITAL ONE, N.A.,

**STIPULATION AND ORDER  
SUBSTITUTING COUNSEL**

Defendant.

The undersigned stipulate and agree to a change of attorney of record for Defendant, Capital One Bank (USA), N.A. (incorrectly sued as "Capital One, N.A.") (hereinafter, "Capital One") in the above-captioned action and agree that Daniel Ginzburg of Podvey, Meanor, Catenacci, Hildner, Cocoziello & Chattman, P.C., with offices located at One Riverfront Plaza, Suite 800, Newark, New Jersey 07102, is substituted as attorney of record for Capital One in place of Preston L. Zarlock, Esq. and Heather H. Kidera, Esq. of Phillips Lytle LLP.

Dated: New York, New York  
May 28, 2015

PHILLIPS LYITLE LLP

By Heather Kidera  
Preston L. Zarlock  
Heather H. Kidera  
The New York Times Building  
620 Eighth Avenue, 23rd Floor  
New York, New York 10018  
Telephone No. (212) 759-4888

PODVEY MEANOR CATENACCI HILDNER  
COCOZIELLO & CHATTMAN, P.C.

By /s/ Daniel Ginzburg  
Daniel Ginzburg  
The Legal Center  
One Riverfront Plaza, Suite 800  
Newark, New Jersey 07102  
Telephone No. (973) 623-1000

Capital One Bank (USA), N.A.

By Tim O'Brien

Name: Tim O'Brien

Title: Assistant General Counsel

**SO ORDERED:**

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A. KATHLEEN TOMLINSON, U.S.M.J.

Dated: \_\_\_\_\_, 2015